

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

-----  IN RE YASMIN AND YAZ (DROSPIRENONE) MARKETING, SALES PRACTICES AND RELEVANT PRODUCTS LIABILITY LITIGATION  -----	X  :  :  :  :  :	3:09-md-02100-DRH-PMF  MDL No. 2100    Judge David R. Herndon
<b>This Document Relates to:</b>		<b>ORDER DISMISSING WITHOUT PREJUDICE</b>
 <i><b>Lauren Saelens v. Bayer HealthCare Pharmaceuticals Inc., et al No. 3:10-cv- 20415-DRH-PMF</b></i>		

**ORDER**

**HERNDON, Chief Judge:**

This matter is before the Court on defendant Bayer HealthCare Pharmaceuticals Inc.'s ("Bayer") motion to dismiss the above captioned action without prejudice. To date, plaintiff has not responded to Bayer's motion.

On March 28, 2011, the Court granted a motion to withdraw filed by plaintiff's counsel (Doc. 11) The Order provided that, "[i]f Plaintiff or her new counsel fails to file a supplementary appearance within 21 days of the entry of this Order, Plaintiff's action will be subject to dismissal without prejudice for failure to comply with this Order and with her Plaintiff Fact Sheet requirements." (Doc. 11 at 2). To date, and in violation of the Order **and Local Rule 83.1(g)**, plaintiff has not filed a supplementary appearance.

Plaintiff must comply with the Local Rules and this Court's orders.

**Fed.R. Civ. P. 41(b).** In addition, plaintiff's failure to file an appearance has prejudiced Bayer. Bayer answered plaintiff's complaint on January 7, 2011(Doc. 8), meaning that this plaintiff should have PFS obligations. To date, and in violation of Case Management Order 12, plaintiff has not served a PFS.

Accordingly, for the reasons stated herein, plaintiff's action is hereby dismissed without prejudice.

**SO ORDERED.**

 Digitally signed by  
David R. Herndon  
Date: 2011.05.05  
16:23:27 -05'00'

**Chief Judge  
United States District Court**

**Date: May 5, 2011**